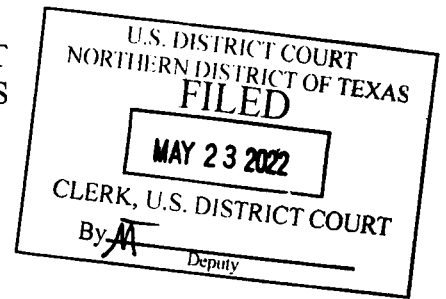


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



ALLEN KELSO,

Plaintiff,

v.

JCHL PROPERTIES, LLC,

Defendant.

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2:22-CV-024-Z

ORDER TO SHOW CAUSE

On April 29, 2022, the Court ordered parties to “submit a JPSO [(Joint Proposed Scheduling Order)] . . . on or before May 20, 2022.” ECF No. 8 at 1. Parties submitted a JPSO on May 22, 2022 — two days late. *See* ECF No. 11. The Court also ordered Plaintiff’s and Defendant’s lead counsel to “be present for a Rule 16 Scheduling Conference with the Court at the Mary Lou Robinson United States Courthouse on **May 23, 2022, at 10:00 a.m.**” ECF No. 8 at 2. Defendant’s lead counsel appeared. Nobody appeared on Plaintiff’s behalf. At the Conference, Defendant’s counsel explained he has attempted to communicate with Plaintiff’s counsel on several occasions. According to Defendant’s counsel, Plaintiff’s counsel — although once responsive — has become unresponsive. Due to Plaintiff’s counsel’s unresponsiveness, Defendant’s counsel filed the JPSO late after unsuccessfully attempt to contact Plaintiff’s counsel several times earlier during the week.

Plaintiff’s counsel has not only been unresponsive to Defendant’s counsel. Plaintiff’s counsel has failed to respond to *the Court*. Plaintiff’s counsel failed to timely file the JPSO. And Plaintiff’s counsel failed to appear for the Scheduling Conference. Plaintiff’s counsel has yet to offer an excuse or otherwise explain this behavior.

Accordingly, the Court **ORDERS** Plaintiff's lead counsel, Richard Bruce Tharpe, to **appear in person** and show cause for why he has consistently failed to abide by the Court's April 29, 2022 Order. Mr. Tharpe must appear in the first-floor courtroom of the Mary Lou Robinson United States Courthouse, 205 Southeast 5th Avenue, Amarillo, Texas 79101-1559, **on Thursday, May 26, 2022, at 1:30 p.m. (CDT).**

Failure to adhere to this Order may result in sanctions or disciplinary action — including disbarment from the Northern District of Texas, not just the Amarillo Division. *See* N.D. TEX. R. 83.8.

SO ORDERED.

May 23, 2022

A handwritten signature in black ink, appearing to read 'Matthew J. Kacsmarik', written over a horizontal line.

MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE